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MINUTES OF THE AYUNTAMIENTO OF SAN FELIPE  
DE AUSTIN, 1828-1832

## XII

EDITED BY EUGENE C. BARKER

In the Town of San Felipe de Austin 4th July 1831. The Ayuntamto. of this jurisdiction this day met in regular session present the folowing members F. W. Johnson prest. W. C. White 1st Regidor P. D. McNeil 3d Regidor and R. M. Williamson Sindico procurador. Absent Randall Jones 2d Regidor and Wm. Robinson 4th Regidor. the acts of the last meeting were read and approved.

The report of the committee appointed to draw up an ordinance regulating the Municipal Surveying Department, was read and approved and the ordinance ordered to be published (for which see Book of ordinances pages —) and so much of the ordinance of 5th July 1830 as may be contrary to the provisions of this are hereby repealed.

On motion of R. M. Williamson Sindico procurador, ordered that Walter C. White Regidor be instructed and authorized to collect the amount due the Municipality on town lots in this Town.

On motion of the president the subject of the situation of the children of John Jones, who have been left by their parents in a helpless and starving condition was taken up and discussed and the Ayuntamto *ordered* that the treasurer be authorized to minister to their present wants and necessity from the municipal funds and until something can be done for their permanent support.

On motion of the prest. ordered that the Comisarios of the different precincts in the Municipality be required from their own observations and knowledge, and also on a report made to them by the sindicos of said precincts [p. 23] to make and transmit monthly to the Alcalde of the jurisdiction a report of all doctors, merchants, venders of Merchandise and retailers of liquor within their respective precincts, and all those who in any way exercise such professions or sell goods without having obtained a licence in conformity with the laws.

*Ordered* that Doctors S. B. Walls and C. G. Cox be fined each \$25 for a breach of the municipal ordinances by practising medi-

cine without having previously obtained a licence agreeably to said ordinances and also for a non compliance with the order of the Ayto. to present themselves before the body at this session.

*Ordered* that James Whiteside and Jonathan C. Peyton be fined each \$5 for failing to comply with the provisions of the ordinances, regulating Tavern keepers, and also for a non compliance with the order of last meeting.

The report of the Committee appointed to draft rules and regulations for the government of the patrol guard, was read and adopted.

The petition of Asa Brigham praying for special privilege to collect for ferriage, at the ferry kept by him at Brazoria an amount equivalent to the former rates of ferriage to compensate him for his trouble and expence, was read and rejected on the ground of its being inadmissible to alter the present rates of ferriage to suit the special convenience of any particular person and to avoid a number of petitions from other ferries on the same subject.

The petition of John Peterson praying to be released from the effects of the order of this body by which he is prevented from receiving land as a colonist was read, [p. 24] in connection with the evidence of character presented by him, and was admitted, and the body ordered that the Empresario S. F. Austin be notified thereof in order that the said Peterson may obtain his land as a settler. A written application of Wm. T. Austin for a licence to keep a public house at Brazoria was admitted and the licence ordered to be issued.

A petition of Stephen Richardson praying that a title for Lot No. 565 purchased by him be made to Henry Cheves and Thomas Gay—prayer admitted and title ordered to be made.

On Motion of the Prest. ordered by a unanimous resolution of the body that the amt. of tax due and arising from Town and out Lots in this Town, and also the amount due and arising from the ferry at this place shall be peculiarly and specially appropriated to the payt. of the claims due by the Ayunto. and on which the body has passed special resolutions, a list of which the secretary is ordered to furnish the prest. for his information and government. And further that no claims, orders, drafts, etc. shall be accepted by the treasurer or tax gatherers as set offs or in payt. of Taxes which will be due under the provisions of the Municipal

ordinance and by virtue of law No. 180 as the amt. arising from that tax is to be appropriated solely to the purposes expressed in said law. The body then ordered an extra meeting on Monday the 18th inst and adjourned to that day.

[p. 25] In the Town of San Felipe de Austin 5th Septembr 1831. The Ayuntamiento. this day met in regular session, present F. W. Johnson Alcalde W. C. White 1st Regidor Randall Jones 2d Regidor and R M. Williamson Sindico procurador. The acts of the session of 4th July were read and approved as the extra meeting of the 18th July and regular meeting of 1st August did not take place on account of the members failing to attend.

The following appointments were then made by the body for Surveyors of the different Municipal surveying districts, on the petitions presented by the applicants and the evidence of their qualifications.

Thomas H. Borden, Municipal Surveyor of district Number 1.

John P. Borden, Municipal Surveyor of district Number 4.

Byrd Lockhart, Municipal Surveyor of district No. 3.

Horacio Chrisman and Saml P. Browne, Municipal Surveyors of District No. 2.

Gail Borden jr. Municipal Surveyor of district No. 5.

S. C. Hiram, Municipal Surveyor of district No. 7.

A letter from Henry Smith praying for the appointment of Municipal Surveyor of district No. 6 was deferred on account of his having failed to comply with the requisition of furnishing the body evidence of his capacity.

[p. 26] A petition from the Citizens of Harrisburg praying for the appointment of Frederick Rankin John W Moore and John W. Little as commissrs to lay off a road from Harrisburg to New Kentucky and the Lake Settlement prayer granted and the report ordered to be made first Monday in Novembr next.

A petition of Robert Peebles praying that the title for out lots numbers 43, 44, and 46 purchased by him from the Ayunto. may be made to James B. Miller to whom he has sold them, prayer granted and title order to be made to said Miller in conformity with a former order of this body, authorising the title to issue to said Peebles.

On motion of the president it was ordered that Stephen F. Austin, F. W. Johnson, and William Williamson be appointed a Committee to draft a plan of Town house or Municipal Hall and

a Jail—The Court House to be at least 50 ft long and 20 feet wide and one and a half story high.

A petition of William Williamson praying that the right to Town lots No. 87 and 112 which were formerly purchased by John Montgomery and Patrick Green be transferred and vested in him by virtue and on account of his having purchased said lots. Which petition was granted and the body further allowed the sd. Williamson until the first of March 1832 to improve the said lots in. The title to issue to him as soon as they may be improved if done prior to sd. 1st March next. The plan of a patrol law as drawn up by the Committee appointed for that purpose was read and [p. 27] approved and it was ordered to be engrossed in the Book of Ordinances (for which see said Book pages —)

A petition of Wm. Cooper was presented and read in which he prays that a certain league of land granted to the late Benj Eaton be by the body declared as forfeited for the want of improvement rejected by the body on account of the time allowed by law for the improvement of the land not having expired.

An account presented by L. F. Farley for boarding Spinks rejected for want of proper vouchers.

A petition of Oliver Jones praying for a title to certain town lots referred to next meeting.

G. F. Richardson was fined in the sum of seventy-five dollars for selling Merchandise and Liquors without a licence.

Nathl Lynch was fined \$112 50/100 for selling Merchandise and Liquers without a Licence.

Luke Lesassier appointed prosecuting attorney for the next 6 months.

[p. 28] In the Town of San Felipe de Austin 3d of October 1831. At a regular meeting of the Ayuntamto. of this jurisdiction the following members were present F. W. Johnson, prest, W. C. White 1st Regidor. Randall Jones 2d Regidor P. D. McNeil 3d Regidor and Wm. Robinson 4th Regidor absent R. M. Williamson Sindico procurador. The session was opened by reading the acts of the preceeding sessions which were approved.

A petition was presented by Moses Cummins praying to be appointed Municipal surveyor of surveying district Number 8 and the body being satisfied with the evidence of qualifications offered by said Cummins appointed him surveyor of said district.

A petition from E R Wightman for the appointment of partition surveyor in District number 5 and recommending Thos J. Tone for the same appointment, was presented and read and Thomas J. Tone was appointed Municipal Surveyor and authorized to do partition work in sd. district No. 5.

A claim presented by L. F. Farley for boarding and attendance of J. Spinks (a pauper) and after fully discussing the subject in its merits the body unanimously resolved that Ten Dollars be paid said Farley on his said acct.

On motion of the prest. it was ordered that William Pettus, Walter C. White and Samuel M. Williams be appointed a committee to investigate the true situation of the unimproved lots in this Town and report such as they may deem forfeited, to the body at the next meeting

[p. 29] Ordered that inasmuch as it has come to the knowledge of this body that Thomas Powell has been vending merchandise in this jurisdiction without having previously obtained a licence in conformity with the provisions of the Municipal ordinance that he be fined in conformity with said ordinance in the sum of \$37 50/100 Thirty seven dollars and four bits.

A plan for the building of a town house or Municipal hall and a jail was submitted and approved ordered that inasmuch as it is reported that E. Winston has violated the provisions of the Municipal ordinance by vending merchandise in this municipality without a licence, that he be notified to show cause to this body if any he has at the next meeting why he should not be fined agreeably to the provisions of said ordinance—and it is further ordered that Randall Jones 2d Regidor be authorized to take the deposition of Wm. Little relative to the above fact of the sale, and present the same to this body at the next meeting.

A licence for the sale of dry goods issued in conformity with the provisions of the Municipal ordinance to James C. Carr had by said Carr been transferred to Henry Cheves to whom the said Carr had sold the remaining stock of his goods. The question then arose before this body whether or not licences are transferable, and after considerable discussion the question was put to vote and their being two Regidors in favor and two against the question the prest. by the ordinance had the right of voting and gave the casting vote against the question, whereupon it was or-

dered that licences for the sale of Merchandise etc. [p. 30] are not transferable

The subject of the propriety of taking a certain description of property in part payment of taxes due and to be collected from the inhabitants of this Municipality was discussed whereupon it was resolved by the body that good second rate cows and calves and good yearling heifers shall be reed from each individual who may desire to pay them under such special regulations as may hereafter be adopted for collecting the Taxes provided however that in no instance shall the amt of property so taken or reed exceed two thirds of the whole amount of tax due by such individual. And further that the price which is authorized to be allowed for such property is 10\$ ten dollars for each cow and calf as aforesaid and five dollars for each heifer at least one year old.

The body then took up the subject of the appointment of a Collector whose duty it shall be to collect the amt. of Tax due and that it shall be the duty of whomsoever may be appointed for that purpose to make a correct return of all the amts. which he may have collected and reed in payment of taxes as well the amount of property as also the amt. of money and deliver them to the treasurer of this Municipality in this town on the first day of may next and that he shall give bond and security in the sum of Ten thousand dollars for the full and faithful performance of his duty as collector and for the delivery of the amt. collected and further be subject to such general instructions relative to the collections as this body may deem expedient to form for his government. [p. 31] And it was further ordered that the collection of the taxes for the present year shall be farmed out to the lowest bidder on the first day of November next at the office of the Alcalde in this town.

On motion of the president ordered that so much of the plan for the building of a town house approved at the meeting on the first Monday of last month, as relates to the heighth of said building be repealed, and that it be two stories high and further that the said building be constructed of brick and agreeably to the plan filed in the records of this body.

And it was further ordered that the plan for a jail as submitted be approved and that the building of it be farmed out to the lowest bidder on the first Monday in November next at the office

of the Alcalde in this town the undertaker will be bound to give bond and sufficient security for the fulfilment of the contract.

A petition was presented from Dr. C. G. Cox praying the body to remit a fine imposed on him for a breach of the Municipal regulations which was rejected on the ground that the body has not the power of remitting fines (see article 147 of Law No. 37—of this state).

The excuse of Pleasant D. McNeil 3d Regidor for non attendance being heard was declared by the body good and reasonable.

[p. 32] In the town of San Felipe de Austin 7th Novr 1831 At a regular meeting of the ayuntamto. in consequence of the sickness of the Alcalde Walter C. White 1st Regidor presided. present R. Jones 2d Regidor William Robinson 4th Regidor and R. M Williamson sindico procurador—The acts of the last session were read and approved—

A petition from Nathaniel Lynch praying to be released from a fine imposed on him by this body—which was rejected and the fine ordered to be collected—

A petition from the inhabitants of the precinct of Bastrop living up on the Colorado praying for a division of the precinct and for permission to open a road from the crossing of the San Antonio road to this town. the body decided that it was impracticable to accede to the prayer for a division of the precinct but granted the privilege of opening the road.

A petition from Oliver Jones praying for a title to certain town lots Numbers 139-140-141-184-185 and 186 which was granted and the title ordered to be made.

Satisfactory evidence being before the body that E. Winston has violated the municipal ordinance by vending merchandise without a licence, it was ordered by the body that the said E. Winston be fined in conformity with said ordinance thirty seven dollars and a half.

Samuel C. Haddy, Martin Allen and Isaac Best were appointed commissioners to open a road from this town to the prairie on the opposite side of the river.

The body then entered into the discussion of the approaching election and the propriety of augmenting the number of electoral assemblies in the municipality for the convenience of the inhabitants, and [p. 33] also the number of members necessary for the



Ayuntamto. of the next year in conformity with the population of the jurisdiction, and inasmuch as article 98 of Law 37 provides that where the number of inhabitants exceeds 5000 the Ayuntamto. shall be composed of 2 Alcaldes 6 Regidores and 2 sindico procuradors there must be elected at the ensuing elections 2 Alcaldes 4 regidores and 2 sindicos procuradors, and that elections shall be held at the hereinafter described places—

*Precinct of San Felipe*—At the Town of Austin to be presided by the Alcalde—at the house of Wm. Robinson to be presided by sd. Robinson—at the house of Wm. Andrews to be presided by Randall Jones—at the house of Henry Jones, to be presided by W. C. White—at the house of Abner Kuykendall—to be presided by said Kuykendall.

*Precinct of Viesca*—At the house of Walter Sutherland to be presided by Jesse Grimes—at the house of Francis Holland to be presided by sd. Holland—At the house of Fredk Rankin to be presided by M. Herbert.

*Precinct of Bastrop*—At the house of Richard Andrews to be presided by sindico Mays—At the house of Wm. Barton to be presided by said Barton—At the house of John P. Coles to be presided by Nestor Clay—

*Precinct of Victoria*—At the house of Wm. Stafford to be presided by Mills M. Battle—At the house of Alexander Hodge to be presided by Asa Brigham sindico—at Brazoria to be presided by Henry Smith comisario—

*Precinct of Mina*—At the Town of Matagorda to be presided by James Norton—at the house of Robt H. Williams to be presided by P. D. McNeil—At the house of L. Ramey to be presided by said Ramey—At the house of George Sutherland to be presided by said Sutherland.

*Precinct of San Jacinto*—At Harrisburg to be presided by S. C. Hiram comisario—At the house of N. Lynch to be presided by sindico Bundick.

*Gonzales*—At the town to be presided by comisario Patrick. The [p. 34] election to be held at the before mentioned places on Sunday and Monday 11th and 12th Decemr next for the offices of the Ayuntamto. for the ensuing year and comisarios and sindicos of precincts in conformity with the provisions of the state constitution and law No. 37.

[p. 34a] \*\*In the town of San Felipe de Austin, December 18, 1831. The ayuntamiento of this jurisdiction met in the Town Hall, as provided by Article 164 of the Constitution of the State and Article 100 of Law No. 37. The following members were present: Francis W. Johnson president, Walter C. White first regidor, and Robert M. Williamson *sindico procurador*—and in the presence of the presidents, tellers, and secretaries of the municipal electoral assemblies, the president declared the session opened. They formed the three general lists, as required by said Article 100 of Law No. 37, and in accordance therewith the president declared the following officers constitutionally elected: Horatio Chriesman first *alcalde*; John Austin second *alcalde*; Josiah H. Bell, Jesse Grimes, Martin Allen, and Abner Kuykendall regidores; and Henry Cheves and Rawson Alley *sindicos procuradores*. It was ordered that two copies of these lists be made immediately and posted in a public place. The ayuntamiento then passed to the formation of the lists for *Comisarios* and *sindicos procuradores* of precincts as required by Article 158 of the Constitution and Article 106 of Law No. 37. According to these the president declared the following citizens constitutionally elected:

For the precinct of Viesca: John Bowman, *comisario*, and Peter Whitaker *sindico*.

[p. 35a] For the precinct of Bastrop: Richard Andrews, *Comisario*, and Mosea Rousseau, *sindico*.

For the precinct of Mina

For the precinct of Victoria: Asa Brigham, *comisario*, and Thomas Westall, *sindico*.

For the precinct of San Jacinto: John W. Moore, *comisario*, and William Laughlin, *sindico*.\*\*\*<sup>45</sup>

[p. 37] List of Individuals who were voted for for Alcaldes at the Municipal elections held on the 11th and 12th of the present month in conformity with the 164th article of the constitution and articles 97 and 100 of Law No. 37.

Horacio Chriesman	recd 254 votes
John Austin	recd 243 votes
Florence Stack	recd 88 votes

<sup>45</sup>Port of the English is missing, and that part of the text between the asterisks is translated from the parallel Spanish.

John P. Coles	recd 77 votes
Samuel C Hiram	recd 75 votes

Town of Austin 18 Decr 1831

F. W. Johnson  
 John Jones  
 John W. Moore  
 Wm. Barton  
 Rich. Andrews  
 John Bowman  
 Henry Smith  
 A. Brigham

[p. 38] List of Individuals who were voted for for regidors at the municipal elections held on the 11th and 12th of the present month in conformity with articles 164 of the constitution and 97 and 100 of Law No. 37.

Josiah H. Bell	recd 227 votes
Jesse Grimes	" 189 "
Abner Kuykendall	" 140 "
Martin Allen	" 145 "
Byrd Lockhart	" 105 "
James Kerr	" 92 "
William Kincheloe	" 47 "
James Knight	" 25 "
William Robbins	" 20 "
John Jones	" 20 "
James Whiteside	" 19 "
Joel Leakey	" 17 "
Thomas Westall	" 13 "
James W. Jones	" 9 "
Thomas Davis	" 2 "
James Small	" 2 "
John Brown	" 2 "
John F. Webber	" 2 "

Town of Austin 18th Decr 1831

F. W. Johnson  
 John Jones  
 John W. Moore

Wm. Barton  
 Rich. Andrews  
 John Bowman  
 Henry Smith  
 A. Brigham

[p. 39] List of the individuals who were voted for sindico procuradors at the Municipal election held on the 11th and 12th of the present month in conformity with the 164th article of the constitution and 97 and 100 of Law No. 37.

Henry Cheves	recd 117 votes
Rawson Alley	recd 84 idem
R. H. Williams	recd 9 idem

Town of Austin 18th Decr 1831

F. W. Johnson  
 John Jones  
 John W. Moore  
 Wm. Barton  
 Rich. Andrews  
 John Bowman  
 Henry Smith  
 A. Brigham

[p. 40] List of the individuals who were voted for for Comisarios of precinct and Sindicos in the Municipal elections held on the 11th and 13th of the present month in conformity with article 158 of the Constitution and 106 of Law No. 37.

*Precinct of Viesca*

for comisario	John Bowman	recd 21 votes
	Francis Holland	recd 6 do
for sindico	Peter Whitaker	recd 22 votes
	Danl Millican	id 4 do

*Precinct of Bastrop*

for comisario	Richard Andrews	recd 33 votes
for sindico	Mosea Rousseau	recd 15 votes
	——— Tannehill	recd 14 do

*Precinct of Mina*

for Comisario	James Norton	recd 25 votes
	John Huff	recd 13 votes
for sindico	Daniel Decrow	recd 35 votes

[p. 41] *Precinct of Victoria*

for Comisario	A. Brigham	recd 88 votes
	M. Henry	do 75 do
for sindico	Thomas Westall	recd 27 votes
	Edwin Waller	do 16 do

*Precinct of Sn Jacinto*

for Comisario	John W. Moore	recd 56 votes
for sindico	William Laughlin	recd 49 votes
	Andrew Robinson	" 3 votes

[p. 42] In the Town of San Felipe de Austin on the 1st Jany 1832. The Ayunto. met in regular public session composed of the following members F. W. Johnson Alcalde Randall Jones 2d Regidor, William Robinson 4th Regidor and R. M. Williamson Sindico procurador In conformity with the provissions of art 104 of Law No. 37 and the 1st article of the Municipal ordinance The following members of the new Ayunto presented their credentials of election, and the president of last year administered the oath required in article 220 of the State Constitution to the Alcalde of the highest vote C. Horatio Chreisman who immediately administered the oath to the following members elected as Regidors Citizens Josiah H. Bell Jesse Grimes, Martin Allen, and Abner Kuykendall and to Citizen Henry Cheves, as sindico procurador. Jo'n Austin Alcalde of the 2d vote not being present and Rawson Alley sindico procurador likewise absent. and the act was then closed.

[p. 44]<sup>46</sup> F. W. Johnson  
R. Jones  
Wm. Robinson  
R. M. Williamson

[p. 45] In the town of San Felipe de Austin on the 2d of January 1832. At a meeting of the Ayuntamto pursuant to the order of the Presidt. yesterday composed of the 1st Alcalde C. Horatio Chreisman, Pleasant D. McNeil 2d Regidor William Robinson 2d Regidor Josiah H. Bell 3d Regidor Jesse Grimes 4th Regidor and Abner Kuykendall 6th Regidor and William Cheves sindico procurador, absent C. John Austin 2d Alcalde, Martin Allen 5th Regidor and Rawson Alley sindico procurador. The

<sup>46</sup>Page 43 is blank, and page 44 is blank, except for these signatures. It was probably intended to insert election returns above the signatures.

presidt. appointed as a special committee 2d Regidor Wm. Robinson 4th Regidor Jesse Grimes and the procurador sindico Henry Cheves to examine into and report the situation of the ferry flat at the ferry at this town and make said report at 2 o'clock this evening and the body adjourned.

2 o'clock in the afternoon—the body met pursuant to adjournment, the same members being present and also C. Martin Allen 5th Regidor who appeared and took his seat. The report of the committee appointed to inspect the ferry boat was read and approved.

ordered that the President of the body rent out the ferry at this town on tomorrow at 12 o'clock.

ordered that William Robinson, Martin Allen, Henry Cheves and S. M. Williams be appointed as a committee of finance.

ordered that Josiah H. Bell, Jesse Grimes and Pleasant D. McNeil be appointed a committee to examine into and report relative to the situation of the prisoners now in confinement which report they will present to the body on their meeting tomorrow at 10 oclock and the body adjourned.

[p. 46] Act continueing 10 oclock 3d January 1832. The report of the committee appointed to report relative to the situation of the prisoners now in confinement presented to the body their report which was read and on the final question, shall said report be adopted the vote stood thus, for the adoption P. D. McNeil 1st Regidor Wm. Robinson 2d Regidor J. H. Bell 3d Regidor Jesse Grimes 4th Regidor Martin Allen 5 Regidor Henry Cheves sindico procurador Abner Kuykendall 6th Regidor opposed on the ground that it was a subject that did not belong to the body. and the report was consequently adopted by the majority being in favor of it.

Ordered that the Alcalde be authorized to provide for the support of John Jones Children in the manner least expensive to the funds of the municipality, at the same time to prevent them from suffering and to pay for the same out of the said funds.

The body then proceeded to the appointment of a treasurer and Henry Cheves sindico procurador was unanimously elected treasurer. And the body adjourned to the next regular session.<sup>47</sup>

<sup>47</sup>The available record of the ayuntamiento of San Felipe de Austin ends here.